

DECISION MEMORANDUM

TO: COMMISSIONER ANDERSON
COMMISSIONER HAMMOND
COMMISSIONER LODGE
COMMISSION SECRETARY
COMMISSION STAFF
LEGAL

FROM: CLAIRE SHARP
DEPUTY ATTORNEY GENERAL

DATE: MARCH 8, 2023

SUBJECT: IN THE MATTER OF ISLAND PARK WATER COMPANY’S FAILURE TO COMPLY WITH IDAHO PUBLIC UTILITIES COMMISSION REPORTING AND FISCAL REQUIREMENTS; CASE NO. ISL-W-23-01.

Island Park Water Company, Inc. (“Island Park” or “Company”) is a Commission regulated utility. The Company operates under Certificate of Public Convenience and Necessity No. 317. Island Park’s service area includes over 300 customers in Fremont County, Idaho.

Commission Staff’s (“Staff”) investigation of Island Park has revealed allegations of improper customer billing, improper handling of customer complaints, threats of retaliation against customers, and failure to provide safe and reliable services—all in violation of *Idaho Code* §§ 61-301 and 61-302. The Commission ordered the Company to appear at a Show Cause Hearing on March 13, 2023, to address these issues. Order No. 35682.

On March 6, 2023, the Company filed a motion to continue the show cause hearing or allow the hearing by Zoom or Webex (“Motion”). The Company’s Motion formally requested accommodations for the Company’s owner, Dorothy McCarty, through the Americans with Disabilities Act (ADA).

Staff had placed a Decision Memo (“Memo”) on the March 7, 2023, agenda which generally asked the Commission if it wished to schedule a customer hearing in the Island Park service area where the Commission could take testimony from customers of Island Park. At the Commission’s March 7, 2023, Decision Meeting a motion was made to remove the Memo from the agenda. The motion passed and the Memo was removed from the agenda.

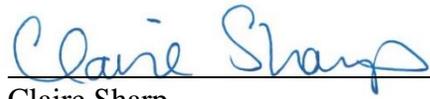
Pursuant to *Idaho Code* § 74-204, the Commission scheduled a special meeting for March 9, 2023, to discuss the Company’s Motion on an expedited basis.

STAFF RECOMMENDATION

For several reasons Staff recommends that the Commission (1) hold a customer hearing for Island Park's customers on March 29, 2023, in Island Park's service territory; and (2) vacate the March 13, 2023, Show Cause Hearing, and reset it for March 29, 2023, also in Island Park's service territory.

COMMISSION DECISION

Does the Commission wish to (1) hold a customer hearing for Island Park customers on March 29, 2023; and (2) reset the March 13, 2023 Show Cause Hearing for March 29, 2023? Anything else?



Claire Sharp
Deputy Attorney General

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